

1 Bill No. Z-84- 03-09

2 ZONING MAP ORDINANCE NO. Z- 06-84

3 AN ORDINANCE amending the City of  
4 Fort Wayne, Zoning Map No. R-34.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
6 INDIANA:

7 SECTION 1. That the area described as follows is hereby  
8 designated a B-1-B (Limited Business) District under the terms of Chapter 33  
9 of the Code of the City of Fort Wayne, Indiana of 1974:

10 Part of the West One-Half of the Nowthwest Quarter of  
11 Section 20, Township 31 North, Range 13 East, Allen County,  
12 Indiana, more particularly described as follows:

13 Commencing at the intersection of the centerline of the  
14 St. Joe Road and the centerline of the St. Joe Center Road,  
15 in the West  $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Section 20, Township 31 North,  
16 Range 13 East, Allen County, Indiana; thence South 37 degrees  
17 20 minutes West along the centerline of the St. Joe Road, 291.1  
18 feet to the point of beginning; thence South 37 degrees 20 minutes  
19 West along the centerline of the St. Joe Road, 57.51 feet;  
20 thence Southerly on a curve to the left having a radius of  
21 903.29 feet along the centerline of the St. Joe Road, a  
22 distance of 218.61 feet; thence South 82 degrees 00 minutes  
23 East a distance of 445.9 feet; thence South 89 degrees  
24 47 minutes East a distance of 214.7 feet; thence North  
25 00 degrees 07 minutes East a distance of 11.26 feet to the  
26 centerline of the Schoppman Creek; thence North 50 degrees  
27 16 minutes 03 seconds West along the centerline of said  
28 creek, 42 feet; thence North 72 degrees 06 minutes 35  
29 seconds West along the centerline of said creek, 290.0 feet;  
30 thence North 50 degrees 06 minutes 30 seconds West along the  
31 centerline of said creek, 264.3 feet to the place of beginning,  
32 containing 1.84 acres, subject to road rights of way and  
easements.

and the symbols of the City of Fort Wayne Zoning Map No. I-2, as established  
by Section 11 of Chapter 33 of the Code of the City of Fort Wayne, Indiana  
are hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and  
effect from and after its passage and approval by the Mayor.

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APPROVED AS TO FORM AND LEGALITY:

BRUCE O. BOXBERGER, CITY ATTORNEY



Read the first time in full and on motion by Bradbury, seconded by Redd, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and ~~Public Hearing~~ to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.

DATE: 3-13-84

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Talarico, and duly adopted, placed on its passage. PASSED ~~(LOST)~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>1</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>1</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>1</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>1</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>1</u>	_____	_____	_____	_____
<u>REDD</u>	<u>1</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>1</u>	_____	_____	_____	_____
<u>STIER</u>	<u>1</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>1</u>	_____	_____	_____	_____

DATE: 4-10-84

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ ~~(GENERAL)~~ ~~(SPECIAL)~~ (ZONING MAP) ORDINANCE (RESOLUTION) NO. 3-06-84 on the 10th day of April, 1984,

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Ray A. E. E. E. E.  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of April, 1984, at the hour of 11:00 o'clock 11 M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 12th day of April, 1984, at the hour of 1 o'clock 1 M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR., MAYOR



PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. 10634

DATE FILED 2-17-84

INTENDED USE \_\_\_\_\_

THIS IS TO BE FILED IN DUPLICATE

I/We Silas C Thomas  
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an B-1-A District to a/an B-1-B District the property described as follows:

See Attached

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

<u>X</u> <u>Richard Thompson</u> <u>Asst. V. Pres.</u>	<u>915 South Clinton Street</u>	<u>Summit Bank</u>
(Name)	(Address)	(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by \_\_\_\_\_ (OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$50.00)

Name and address of the preparer, attorney or agent.

<u>Silas C Thomas</u>	<u>3535 N. Washington Rd</u>	<u>436-7343</u>
(Name)	(Address & Zip Code)	(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.



## CERTIFICATE OF SURVEY

OFFICE OF:

JOHN R. DONOVAN  
REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA  
REGISTERED LAND SURVEYOR No. 9921 INDIANA  
FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

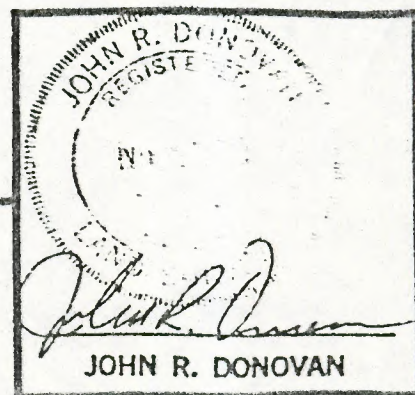
Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, ALLEN County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: Part of the West One-Half of the Northwest Quarter of Section 20, Township 31 North, Range 13 East, Allen County, Indiana, more particularly described as follows:

Commencing at the intersection of the centerline of the St. Joe Road and the centerline of the St. Joe Center Road, in the West  $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Section 20, Township 31 North, Range 13 East, Allen County, Indiana; thence South 37 degr. 20 min. West along the centerline of the St. Joe Road, 291.1 feet to the point of beginning; thence South 37 degr. 20 min. West along the centerline of the St. Joe Road, 57.51 feet; thence Southerly on a curve to the left having a radius of 903.29 feet along the centerline of the St. Joe Road, a distance of 218.61 feet; thence South 82 degr. 00 min. East a distance of 445.9 feet; thence South 89 degr. 47 min. East a distance of 214.7 feet; thence North 00 degr. 07 min. East a distance of 11.26 feet to the centerline of the Schoppman Creek; thence North 50 degr. 16 min. 03 sec. West along the centerline of said creek, 42 feet; thence North 72 degr. 06 min. 35 sec. West along the centerline of said creek, 290.0 feet; thence North 50 degr. 06 min. 30 sec. West along the centerline of said creek, 264.3 feet to the place of beginning, containing 1.84 acres, subject to road rights of way and easements.

JOB FOR: ROUSSEAU

8-18-78





BILL NO. Z-84-03-09

REPORT OF THE COMMITTEE ON REGULATIONS

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS REFERRED AN  
ORDINANCE amending the City of Fort Wayne Zoning Map No. R-34  
(from B-1-A - Limited Business to a B-1-B)

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

JANET G. BRADBURY, CHAIRWOMAN

SAMUEL J. TALARICO, VICE CHAIRMAN

CHARLES B. REDD

MARK E. GIAQUINTA

JAMES S. STIER

*Don say  
it OK*  
Janet G. Bradbury

Samuel J. Talarico

Charles B. Redd

Mark E. Giaquinta

James S. Stier

CONCURRED IN

4-10-84  
SANDRA E. KENNEDY, CITY CLERK



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 13, 1984, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-84-03-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 19, 1984;

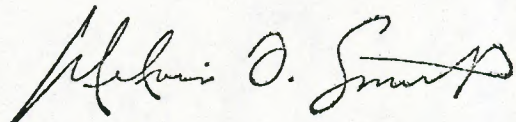
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantitally adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 26, 1984.

Certified and signed this  
28th day of March 1984.



---

Melvin O. Smith  
Secretary

RECEIPT

No 10634

*Cash*  
COMMUNITY DEVELOPMENT & PLANNING

FT. WAYNE, IND., 2/17 1984

RECEIVED FROM

*Silas C. Thomas*

\$ 50.00

THE SUM OF

*fifty & 00/100*

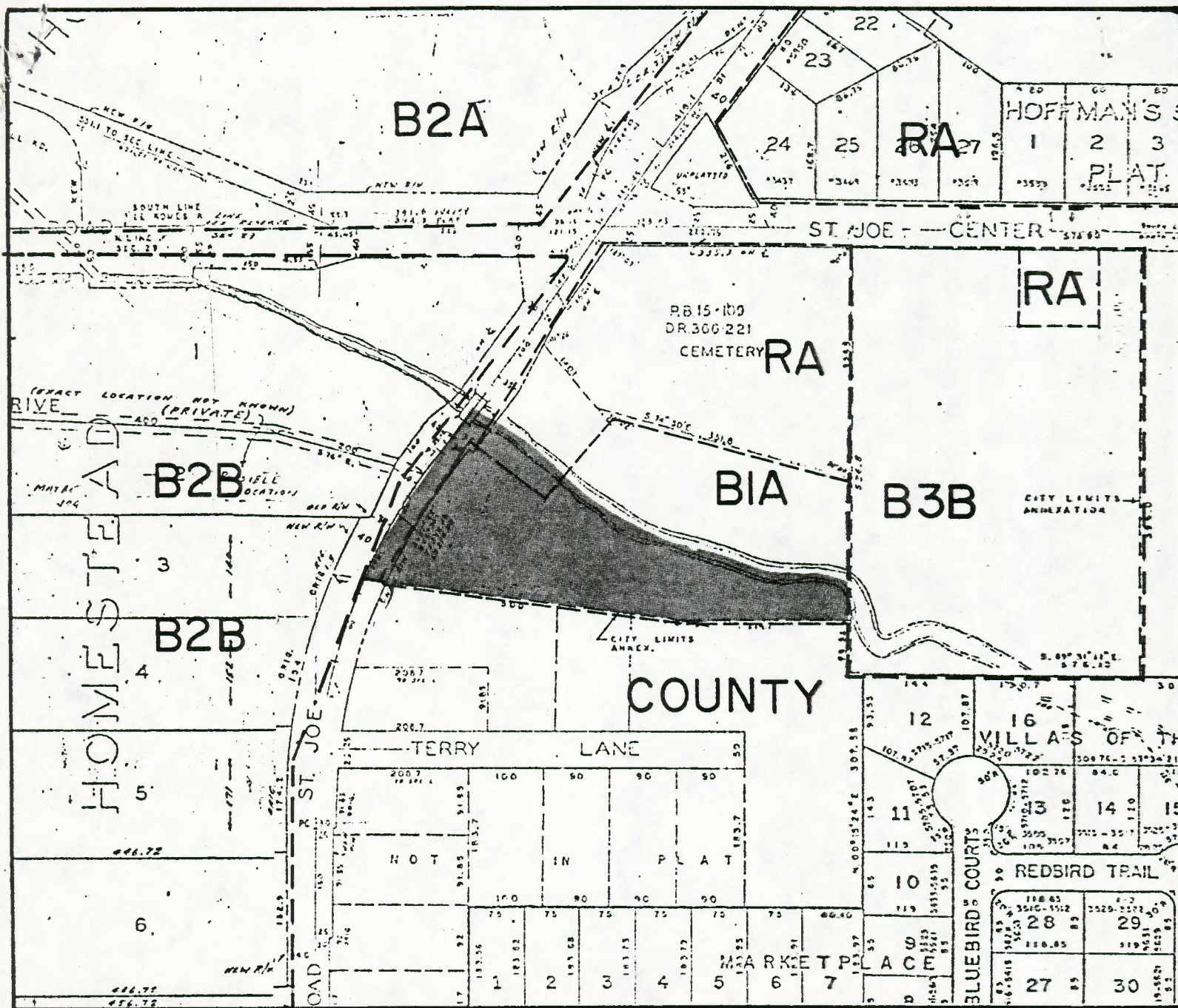
DOLLARS


ON ACCOUNT OF

*reyming B-1-A to B-1-B*  
*P.H.B.*

AUTHORIZED SIGNATURE





 A PETITION TO AMEND THE ZONING MAP BY RE-CLASSIFYING DESCRIBED PROPERTY FROM BIA TO BIB DISTRICT.

Z-84-03-09

MAP NO. R-34







# The City of Fort Wayne

DIVISION OF LAND USE MANAGEMENT  
Department of Community Development & Planning

28 March 1984

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Gentlemen and Mr. Bradbury:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held March 26, 1984. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-84-03-09
2. From B-1-A to B-1-B
3. Intended Use: Self Service Car Wash
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

REASON: The use or value of the area adjacent to this property will not be affected in a substantially adverse manner.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

*Gary F. Baeten*

Gary F. Baeten  
Senior Planner

GFB:pb

Attachments



ORIGINAL

DIGEST SHEET

Admn. Appr. \_\_\_\_\_

ORIGINAL

3-84-03-09

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - CD&P

SYNOPSIS OF ORDINANCE A parcel of land containing 1.84 acres, more or less, located on the east side of St. Joe Road and lying approximately 250', more or less, north of Terry Lane and approximately 300' more or less, south of St. Joe Center Road.

EFFECT OF PASSAGE Property is now zoned B-1-A - Limited Business. Property will become B-1-B.

EFFECT OF NON-PASSAGE Property will remain B-1-A - Limited Business.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

(ASSIGN TO COMMITTEE (J.N.) \_\_\_\_\_